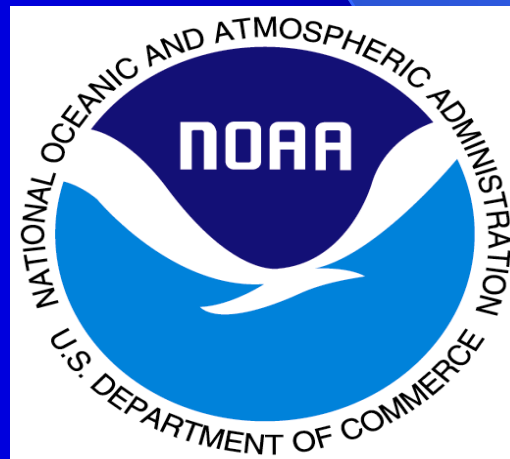


PROPOSED RULE TO REVISE ATLANTIC SWORDFISH MANAGEMENT MEASURES

Highly Migratory Species Management Division
NMFS/NOAA
January, 2007



Background

- The U.S. swordfish quota is derived from the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).
- The Atlantic Tunas Convention Act (ATCA) requires the U.S. to follow ICCAT recommendations.
- In November 2006, ICCAT recommended a 2007 – 2008 “baseline” quota of 3,907 mt (ww) for the United States. This is the same allocation as 2004 – 2006.

ICCAT Quotas and U.S. Landings (mt ww) of North Atlantic Swordfish (2000 – 2007)

Year	ICCAT Quota	Adjusted Quota (with carry over)	Landings (directed + incidental)	% of Adjusted Quota Taken	Under-harvest
2000	2,951	2,951	2,684	91.0%	267
2001	2,951	3,682	2,104	57.1%	1,578
2002	2,951	4,473	2,324	52.0%	2,149
2003	3,877	5,671	2,434	42.9%	3,237
2004	3,907	6,958	1,962	28.2%	4,996
2005	3,907	8,319	2,424	29.1%	5,895
2006	3,907	9,803	???	???	???
2007	3,907	5,860*	???	???	???

* In 2006, ICCAT recommended that carry over may not exceed 50% of the baseline quota.

Status of the Stock

- ICCAT's Standing Committee on Research and Statistics (SCRS) recently completed a new North Atlantic swordfish stock assessment. The relative biomass (B) and fishing mortality rates (F) were estimated to be:
 - $B(2006) = 0.99 B_{msy}$ (range 0.87 – 1.27)
 - $F(2005) = 0.86 F_{msy}$ (range 0.65 – 1.04)
- The North Atlantic swordfish stock is almost fully rebuilt and fishing mortality is low.

Purpose

- To implement management measures that will enhance opportunities for U.S. fishermen to fully harvest the domestic North Atlantic swordfish quota in a sustainable, yet economically viable, manner, while continuing to minimize bycatch to the maximum extent practicable.
 - Swordfish Retention Limits
 - HMS Limited Access Vessel Upgrading Restrictions

Process

- September 2006 - Six information gathering meetings conducted
- October 3 – 5, 2006 - HMS Advisory Panel reviewed recommendations received during public meetings and discussed possible regulatory changes
- November 28, 2006 – Proposed Rule published in Federal Register (71 FR 68784)
- January 17 - 31, 2007 – Public hearings conducted
- January 31, 2007 – Comment period closes
- March 2007 ~ Final Rule anticipated to publish
- April or May, 2007 ~ Regulations effective

Current Commercial Swordfish Management Measures

- ICCAT Quota – Baseline 2937.6 mt (dw) quota for directed and handgear permit holders, including 300 mt (dw) quota for incidental permit holders, which may be adjusted annually for over or under harvests
- Limited Access Permits - Directed, Incidental, Handgear
- Vessel Upgrading Restrictions - 10% LOA, GRT, NT; and, 20% HP
- Incidental Trip Limits – Squid Trawl (5 per trip), Others (2 per trip)
- Minimum Size – 29" (CK), 47" (LJFL), or 33 lb (dw)
- Pelagic Longline (PLL) Closed Areas - Desoto Canyon, East Florida Coast, Charleston Bump, Northeastern Area
- Bycatch/ PLL Requirements – VMS, Circle Hooks, Release & Disentanglement Gear, Non-Stainless Hooks, Live Bait Prohibition in GOM, Gangion Length
- Other – HMS Logbook Reporting, Observers for Selected Vessels, Landing Restrictions (whole or headed & gutted only)

Current Recreational Swordfish Management Measures

- Allocation – 300 mt (dw) from ICCAT quota for HMS Angling, Charter/Headboat (C/HB), and Swordfish Incidental permit holders
- Open Access Permits – HMS Angling, HMS C/HB
- Recreational Retention Limits – One per Person, Up to Three per Vessel per Trip
- Minimum Size – 29" (CK), 47" (LJFL), or 33 lb (dw)
- Recreational Reporting Requirement – All recreational, non-tournament swordfish landings (including those from a C/HB) must be reported by calling NMFS at 1-800-894-5528
- Other – No Sale of Recreational Landings, Rod and Reel or Handline Only, HMS Logbook Reporting for Selected C/HB Vessels

Issue 1 – Swordfish Retention Limits for Commercial Vessels

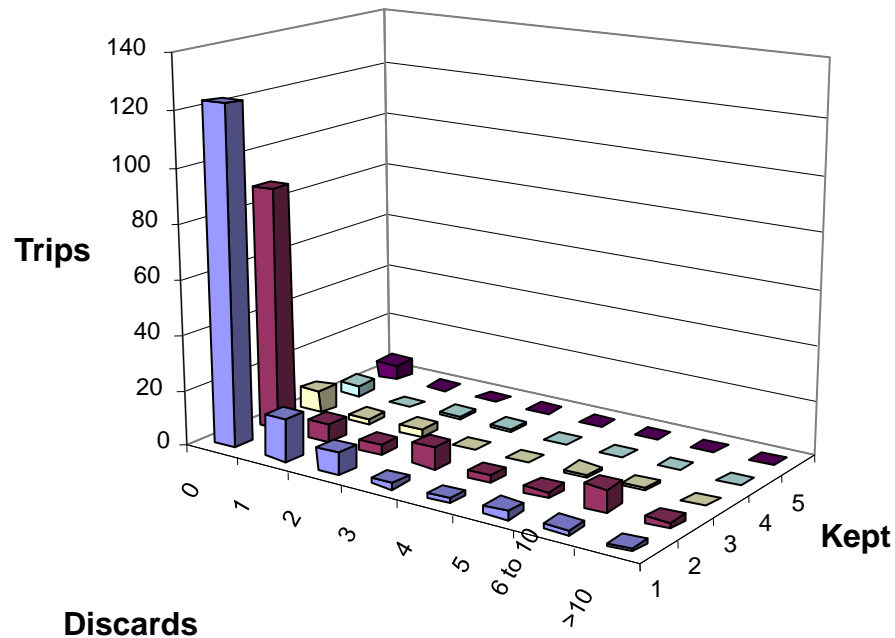
- Alternative 1a – No Action (*status quo*)
- Alternative 1b – Remove Incidental retention limit, and increase limit to 10 for squid trawl vessels, until 70% of the Directed swordfish quota is projected to be landed, after which the current limits would go back into effect
- Alternative 1c – *Increase Incidental retention limit to 30 swordfish/trip, and 15 swordfish/trip for squid trawl vessels (Preferred Alternative)*
- Alternative 1d – Increase Incidental retention limit to 15 swordfish/trip, and 10 swordfish/trip for squid trawl vessels

Issue 1 (cont.) – Swordfish Retention

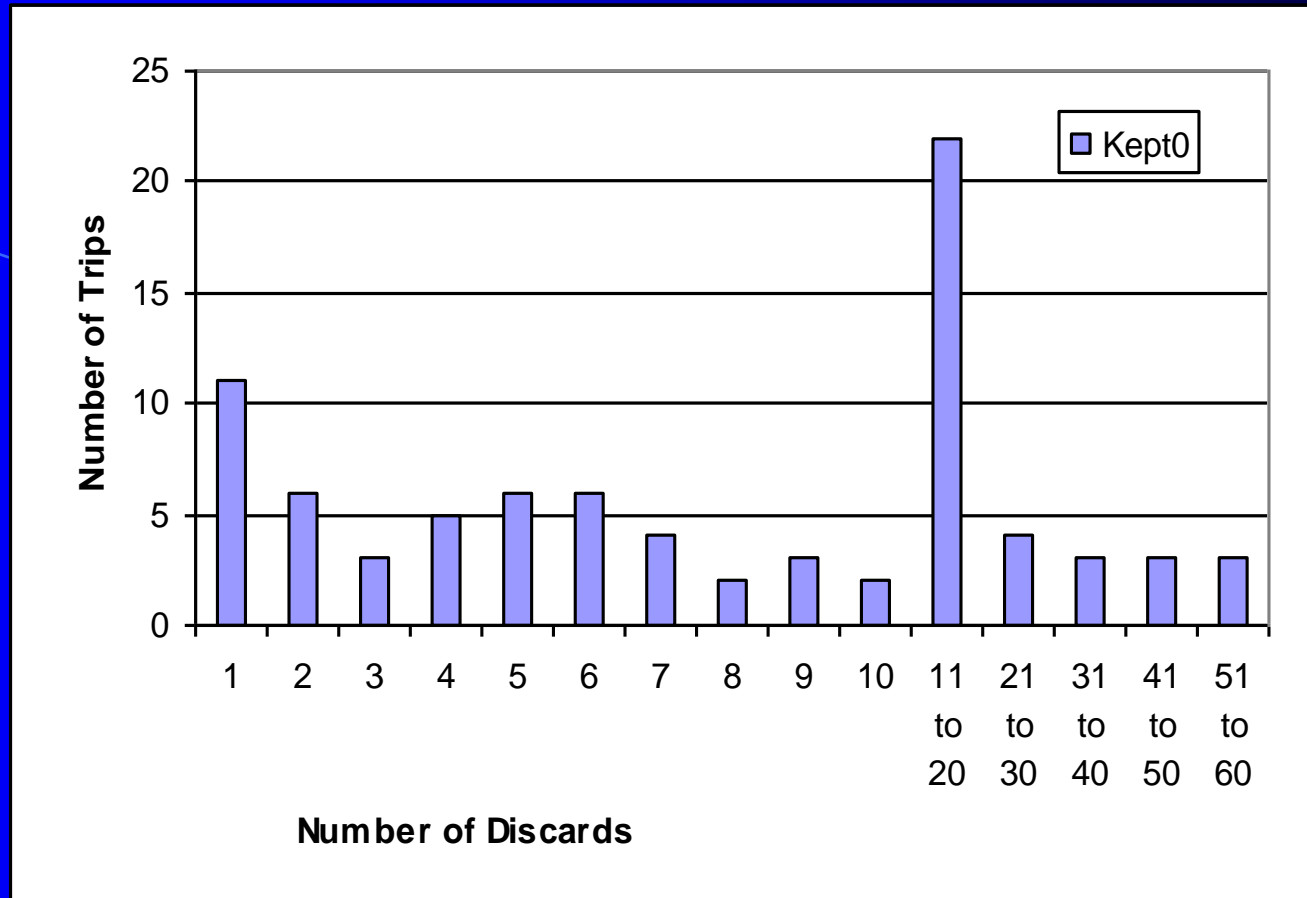
Limits for Recreational Vessels

- Alternative 1e – Increase swordfish retention limit for vessels issued HMS C/HB permits to one per paying passenger, up to six per vessel/trip for charter vessels, and 15 per vessel/trip for headboat vessels (Preferred Alternative)
- Alternative 1f – Increase swordfish retention limit for vessels issued HMS Angling permits to one per person, up to four per vessel/trip (Preferred Alternative)

2002-05 Incidental Permit Holders



Discards and Landings by Incidental Swordfish Permit Holders (with trips reporting keeping zero swordfish removed)



Swordfish Discards by Incidental Permit Holders that Reported Keeping Zero Swordfish

Issue 1 – Summary of Impacts of Preferred Alternatives

ALTERNATIVE	ECOLOGICAL IMPACTS	ECONOMIC IMPACTS
1c – Increase incidental limit to 30 swordfish, & squid trawl limit to 15 swordfish (Preferred Alternative)	Could convert discards to landings. Annual Incidental landings could increase from 21,230 lb to between 66,207 – 476,444 lb. Bycatch mitigation measures would remain in place.	Potential revenue increase of \$7,864 per trip (<i>i.e.</i> , the value of 28 swordfish). Provides increased opportunity to harvest the domestic swordfish quota.
1e – Increase retention limit for HMS C/HB vessels to one per paying passenger, up to six per vessel/trip for charter vessels, and 15 per vessel/trip for headboat vessels (Preferred Alternative)	Could result in additional landings of 32 to 409 swordfish per year, depending upon whether vessels continue current trend of landing up to the retention limit. Rod & reel fishery has few impacts on EFH or protected species.	Potentially increased demand for CHB trips due to the opportunity to land additional swordfish. Potentially positive “multiplier” impacts on shore side businesses. Provides increased opportunity to harvest domestic swordfish quota.
1f – Increase swordfish retention limit for vessels issued HMS Angling permits to one per person, up to four per vessel/trip (Preferred Alternative)	Using assumptions in Alt. 1e, could result in additional landings of 6 to 569 swordfish. Few impacts on EFH or protected species	Potentially increased number of Angling trips due to the opportunity to land additional swordfish. Potentially positive “multiplier” impacts on shore side businesses. Provides increased opportunity to harvest domestic swordfish quota.

Issue 1 - Number of Potentially Affected Permit Holders (Oct. 2006)

- Preferred Alternative 1c - Incidental Swordfish Retention Limits: 48 vessels issued Incidental swordfish permits hold “valid” permits
- Preferred Alternative 1e – CHB Swordfish Retention Limits: 4,173 CHB permit holders
- Preferred Alternative 1f – Angling Category Swordfish Retention Limit: 25,238 Angling category permit holders

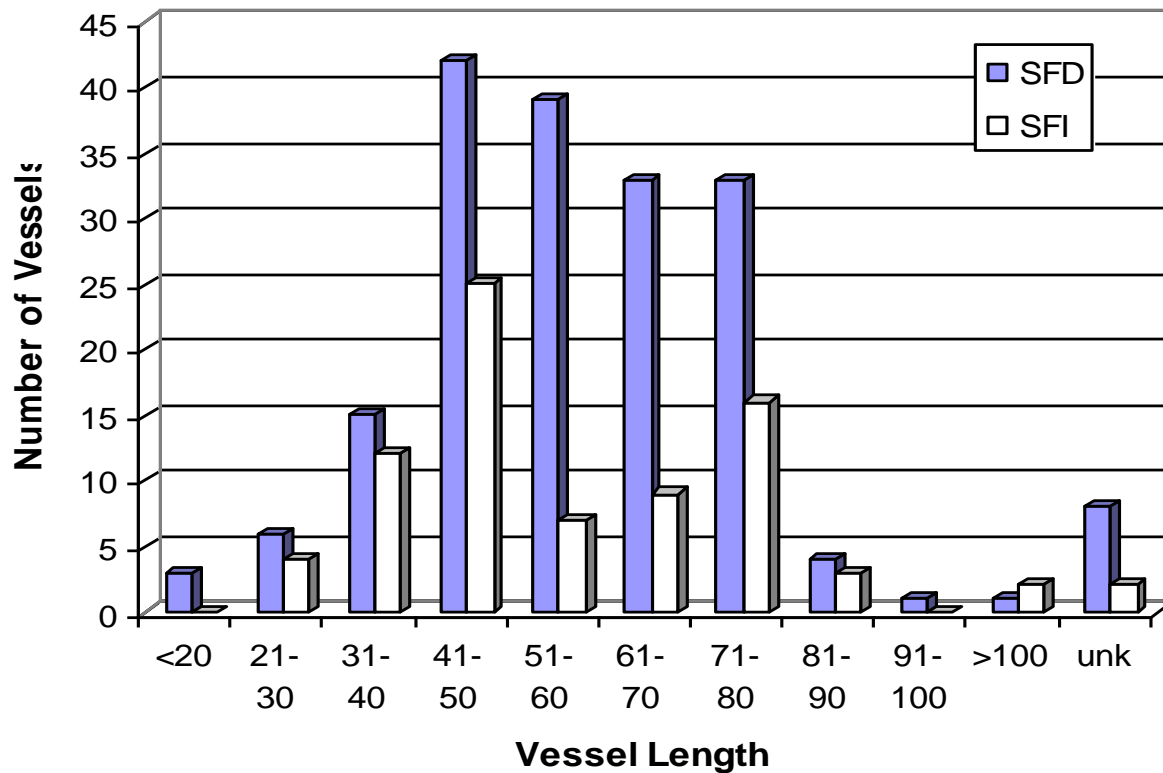
Issue 2 – HMS Limited Access Vessel Upgrading Restrictions

- Alternative 2a – No Action (*status quo*)
- Alternative 2b – Waive upgrading restrictions for PLL vessels (i.e., vessels possessing tuna longline, and directed or incidental shark and swordfish permits) for 10 years, after which the current regulations would go back into place
- Alternative 2c – Waive upgrading restrictions for vessels issued swordfish Handgear permits for 10 years, after which the current regulations would go back into place

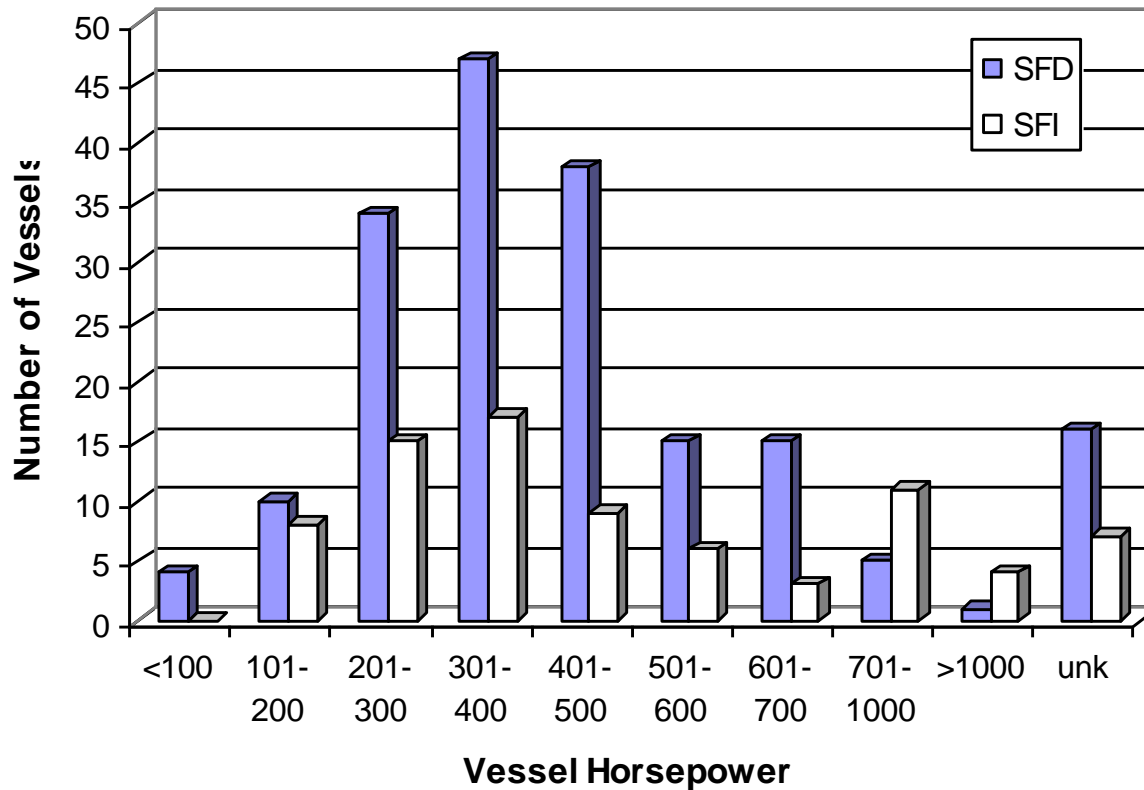
Issue 2 – HMS Limited Access Vessel

Upgrading Restrictions (cont.)

- Alternative 2d – Waive upgrading restrictions for all vessels issued HMS limited access permits for 10 years, after which the current regulations would go back into place
- Alternative 2e – *Establish new vessel upgrading restrictions for PLL vessels only equivalent to 35% of “baseline” vessel (LOA, GRT, & NT), and remove horsepower upgrading restrictions for PLL vessels only (Preferred Alternative)*



Current Length Overall of Vessels Issued
Swordfish Directed (SFD) or Swordfish
Incidental (SFI) Permits



Current Horsepower of Vessels Issued
SFD or SFI Permits

Issue 2 – Summary of Impacts of Preferred Alternative

ALTERNATIVE	ECOLOGICAL IMPACTS	ECONOMIC IMPACTS
2e – Establish new vessel upgrading restrictions for PLL vessels only equivalent to 35% of “baseline” vessel (LOA, GRT, & NT), and remove horsepower upgrading restrictions for PLL vessels only (Preferred Alternative)	Potential for long-term increase in fishing effort. However, it is not possible to forecast magnitude of any potential increase. Only minor ecological impacts are anticipated because other bycatch mitigation measures remain in place.	Increased flexibility for PLL vessel owners to adjust vessel configurations according to business needs. Potential revenue increase dependent upon future harvests, prices, and operating costs. Positive impacts on safety at sea. Increased opportunity to harvest domestic swordfish quota.

Issue 2 - Number of Potentially Affected Permit Holders (Oct. 2006)

- Preferred Alternative 2e – HMS PLL Vessel Upgrading Requirements: 176 of the 277 vessels issued Directed or Incidental swordfish permits also possess limited access shark and Atlantic Tunas Longline category permits.

Summary

- The measures contained in this Proposed Rule are expected to enhance opportunities to harvest the U.S. swordfish quota in the short and intermediate term, with only limited ecological impacts.
- Based upon comments received during public meetings held during September 2006, NMFS intends to conduct additional analysis in the future regarding other management measures including:
 - * Time/area closures
 - * Additional vessel upgrading modifications
 - * PLL live bait prohibition in Gulf of Mexico
 - * HMS permit structure
 - * Individual Transferable Quotas (ITQs)
 - * Marketing/Promotional Assistance

Public Comments

- Comment period closes: January 31, 2007.
- Mail: Highly Migratory Species Management Division (SF1), 1315 East West Highway, Silver Spring, MD 20910. Please write “Comments on Proposed Swordfish Rule” on the envelope.
- Fax: (301) 713-1917
- E-mail: SF1.110206A@noaa.gov
- For further information contact: Rick Pearson, (727) 551-5742; or, Sari Kiraly, (301) 713 –2347.